

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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ASHLEY MARTIN,

Plaintiff,

22-cv-03740(DG)(SJB)

- against -

**STIPULATION DISCONTINUING
CAUSES OF ACTION WITH PREJUDICE**

METROPOLITAN TRANSPORTATION
AUTHORITY, GABRIELLA MARINO,
Shield #2767 and GIAFRANCO SORIENTE
Shield #2777 Metropolitan Transportation
Authority Police Officers, and
METROPOLITAN TRANSPORTATION
AUTHORITY POLICE OFFICER JOHN
DOES, Individually and in their Official
capacities as Metropolitan Transportation
Authority Police Officers, the identity and
number of whom are Presently unknown,

Defendants.
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WHEREAS, defendants Metropolitan Transportation Authority (“MTA”), Gabriella Marino and Giafranco Soriente (collectively “Defendants”) moved pursuant to Fed. R. Civ. P. 12(b)(6), by notice of motion filed on March 27, 2023, to dismiss certain causes of action asserted by plaintiff in her Second Amended Complaint, filed on January 19, 2023; and

WHEREAS, plaintiff agrees to discontinue, with prejudice, certain causes of action as unsupported by her pleadings; and

WHEREAS, the stipulation renders the defendants’ motion pursuant to Rule 12(b)(6) moot; Now

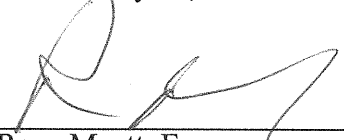
IT IS HEREBY STIPULATED AND AGREED by and between the parties that:


1. All claims asserted against Defendants under 42 U.S.C. § 1981, as appear in the First Claim and Sixth Claim are discontinued with prejudice;
2. All Claims asserted against the MTA under 42 U.S.C. § 1983, as appear in the First Claim, Second Claim, Third Claim, Fourth Claim and Fifth Claim are discontinued with prejudice;
3. All Claims asserted against Defendants under 42 U.S.C. § 1985, as appear in the

Seventh Claim are discontinued with prejudice.

4. All claims asserted against the individual defendants pursuant to 42 U.S.C. § 1983 for false arrest, malicious prosecution, false imprisonment, abuse of process and fabrication of evidence (First Claim, Second Claim, Third Claim, and Fifth Claim) are not withdrawn or otherwise affected by this stipulation.

Dated: New York, New York
May 16, 2023



Rene Myatt, Esq.
Attorney for Plaintiff

Steve S. Efron, Esq.
Attorney for Defendants

SO ORDERED:

District Judge